

REMARKS

I. INTRODUCTION

Claims 1, 7, and 8 have been amended. Thus, claims 1-11 remain pending in the present application. No new matter has been added. In view of the above amendments and following remarks, it is respectfully submitted that all of the presently pending claims are allowable.

II. THE 35 U.S.C. § 102(e) REJECTIONS SHOULD BE WITHDRAWN

Claims 1, 2, and 5-9 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,505,236 to Pollack ("Pollack"). (See 06/23/06 Office Action, p. 2, ¶ 2).

Amended claim 1 recites, a "method of controlling communication of content information from a sender to a receiver via a data network, the method comprising *verifying with a plurality of sources throughout the data network* whether the content information is available from at least one of the sources other than the sender; contacting a search engine if the content information is available from the at least one source, wherein the search engine determines a location within the data network of the at least one source of the content information and returns an updateable index listing *each of the sources* of a copy of the content information; and substituting for the content information a pointer to the location of the at least one source based on the updateable index of sources returned by the search engine." (Emphasis added).

Pollack generally relates to a system and method for network-based mail attachment storage. (See Pollack, Specification). Specifically, the system includes an attachment stripper for stripping mail attachments from an electronic mail item and a storage device for storing the stripped mail attachment. (See *Id.*, col. 4, lines 25-29). When an

attachment is stored in the storage device, an attachment comparator compares the attachment being stored to all stored attachments in order to determine if the newly stored attachment is the same as any stored attachments. (See Id., col. 6, lines 39-48). If the files are determined to be the same, a redundancy deleter deletes the redundant file so that only a single copy of the file is stored on the storage device. (See Id.). The system and method of Pollack only determines whether the attachment is located in a single location, the storage device. Pollack does not verify with a plurality of sources throughout a data network. Thus, Pollack is limited to simply generating handles to attachments that the system has created within a single source. This limitation teaches away from the overall purpose of the present invention. The present invention may determine whether or not an attachment is a well-know piece of content that is available from many sources. (See Specification, p. 1, ¶ 003). In other words, the present invention may search multiple sources, wherein each of these sources may vary in proximity and/or reliability to the senders and/or recipients. (See Id.). However, according to Pollack, the senders/recipients only have one source for the attachment, specifically, the storage device.

It is respectfully submitted that disclosure of Pollack fails to teach or suggest, “...*verifying with a plurality of sources throughout the data network* whether the content information is available from at least one of the sources other than the sender; contacting a search engine if the content information is available from the at least one source, wherein the search engine determines a location within the data network of the at least one source of the content information and returns an updateable index listing *each of the sources* of a copy of the content information; and substituting for the content information a pointer to the location of the at least one source based on the updateable index of sources returned by the search engine,” as

recited in claim 1. As claims 2 and 9 depend from, and therefore include all the limitations of claim 1, it is hereby submitted that claims 2 and 9 are also allowable.

The Examiner rejected claim 7 for the same reasons as the rejection of claim 1 as being anticipated by Pollack. (See 06/23/06 Office Action, p. 2, ¶ 2). Amended claim 7 recites limitations substantially similar to those of claim 1, including “...*verifying with a plurality of sources throughout a world wide web* whether an attachment to a specific email to be sent by a user via the world wide web is available from at least one of the sources on the world wide web, contacting a search engine if the attachment is available from the at least one source, wherein the search engine determines a location within the world wide web of the at least one source of the attachment and returns an updateable index listing *each of the sources* of a copy of the attachment, and substituting for the attachment a pointer to the location of the at least one source based on the updateable index of sources returned by the search engine.” (Emphasis added). Therefore, Applicant respectfully submits that claim 7 is allowable for at least the reasons discussed above with regard to claim 1. As claim 10 depends from, and therefore includes all the limitations of claim 7, it is hereby submitted that claim 10 is also allowable.

The Examiner rejected claim 8 for the same reasons as the rejection of claim 1 as being anticipated by Pollack. (See Id., p. 2, ¶ 2). Amended claim 8 recites limitations substantially similar to those of claim 1, including “*verifying with a plurality of sources throughout a data network* whether a file to be sent by a user via the data network is available from at least one of the sources on the data network independent of the user, contacting a search engine if the file is available from the at least one source, wherein the search engine determines a location within the data network of the at least one source of the file and returns an updateable index listing *each of the sources* of a copy of the file, and substituting for the file a pointer to the

location of the at least one source based on the updateable index of sources returned by the search engine.” (Emphasis added). Therefore, Applicant respectfully submits that claim 8 is allowable for at least the reasons discussed above with regard to claim 8. As claim 11 depends from, and therefore includes all the limitations of claim 8, it is hereby submitted that claim 11 is also allowable.

III. THE 35 U.S.C. § 103(a) REJECTIONS SHOULD BE WITHDRAWN

Claim 3 stands rejected under 35 U.S.C. § 103(a) as unpatentable over Pollack in view of Beck and in further view of Berghel, Hal, “Digital Village,” 1997, 27 July 2004 (“Berghel”). (See 03/22/06 Office Action, p. 3, ¶ 4). As discussed above, Pollack does not teach or suggest all the limitations of independent claim 1. It is respectfully submitted that Berghel is insufficient to cure the above-stated deficiencies of Pollack. Because claim 3 depends from, and, therefore includes all the limitations of claim 1, it is respectfully submitted that claim 3 is allowable for the reasons stated above with reference to claim 1.

Claims 4-6 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Pollack in view of Beck and further in view of U.S. Patent No. 6,327,656 to Zabetian (“Zabetian”). (See 03/22/06 Office Action, p. 4, ¶ 5). As discussed above, Pollack does not teach or suggest all the limitations of independent claim 1. It is respectfully submitted that Zabetian is insufficient to cure the above-stated deficiencies of Pollack. Because claims 4-6 depend from, and, therefore include all the limitations of claim 1, it is respectfully submitted that claims 4-6 are allowable for the reasons stated above with reference to claim 1.

CONCLUSION

In light of the foregoing, Applicant respectfully submits that all of the now pending claims are in condition for allowance. All issues raised by the Examiner having been addressed. An early and favorable action on the merits is earnestly solicited.

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